

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59356 of 2025

Arising Out of PS. Case No.-418 Year-2024 Thana- BAHERA District- Darbhanga

Deepak Kumar @ Deepak Kumar Gupta S/O Binod Prasad R/O Mohalla-
Kishori Lal Chowk, P.S - Town, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 59529 of 2025

Arising Out of PS. Case No.-418 Year-2024 Thana- BAHERA District- Darbhanga

Dhanik Lal Paswan S/o Ramdev Paswan R/o Village- Marar, P.S.- Rahika,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 59356 of 2025)
For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP
(In CRIMINAL MISCELLANEOUS No. 59529 of 2025)
For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 26-09-2025 Heard learned counsel for the petitioners, learned
APP for the State and perused the case diary.

2. The petitioners seek bail in connection with Bahera
P.S. Case No. 418 of 2024, instituted for the offences punishable
under Sections 331(4) and 305(a) of the Bharatiya Nyaya
Sanhita, 2023.



3. The prosecution case, in short, is that some unknown persons committed theft in the house of informant's uncle and looted Rs. 15,000/- along with other articles.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that the petitioners are not named in the FIR. Name of the petitioners have transpired in this case on the basis of confessional statement made by co-accused, namely, Mangal Sah in Bahera P.S. Case No. 499 of 2024 and the same has got no evidentiary value. It is next submitted that no T.I. parade has been conducted in this case. The petitioners are in custody since 02.04.2025. The petitioner in Cr. Misc. No. 59356 of 2025 bears ten criminal antecedents, whereas the petitioner in Cr. Misc. No. 59529 of 2025 bears five criminal antecedents. Learned counsel for the petitioners further submits that other co-accused have been granted regular bail by this Court vide order dated 04.09.2025 passed in Cr. Misc. No. 61435 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances



of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail *after framing of charge, if not already framed* on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bahera P.S. Case No. 418 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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